

02-06-02

REQUEST FOR FILING A PATENT APPLICATION  
UNDER 37 CFR 1.53(b)

U.S. PTO  
JAN 10/067155  
02/04/02

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION NUMBER	ART UNIT
SDS-6 CON	CLASS	SUBCLASS	09/326,046	3732

Address to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

This is a request for filing a continued prosecution (☒ continuation ☐ divisional) application under 37 CFR 1.53(b), of pending prior application Serial Number 09/326,046, filed June 4, 1999 entitled MICROENDODONTICS ULTRASONIC SURGICAL DENTAL TOOL HAVING WATER PORT AND METHOD OF MAKING SAME.


1. Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 09/326,046, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(e))		27-20 =		7X \$18=	\$126
INDEPENDENT CLAIMS (37 CFR 1.16(b))				X \$84=	
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ ____ =	
				BASIC FEE (37 CFR 1.16 (a))	\$740
				TOTAL OF ABOVE CALCULATIONS =	\$866.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.19, 1.27, 1.28)					
TOTAL =					\$866.00

2. ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27  
☐ is enclosed  
☐ was filed in prior application number \_\_\_\_/\_\_\_\_ and such is still proper and desired (37 CFR 1.28(a)).
3. ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 04-0780. A duplicate copy of this sheet is enclosed.
4. ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

5. ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
6. ☒ The inventor(s) of the invention being claimed in this application is (are):  
Teresa R. Hickok.
7. ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
8. ☒ Amend the specification by inserting the first line the sentence: " This application is a ☐divisional ☒continuation of application serial number 09/326,046, filed June 4, 1999; pending."
9. ☐ New formal drawings are enclosed.
10. ☐ Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.
11. ☐ A preliminary amendment is enclosed. Please enter the Preliminary Amendment before calculating the filing fee.
12. ☒ The prior application is assigned of record to DENTSPLY International Inc.
13. ☐ Also enclosed:
14. ☒ The power of attorney in the prior application is to: Douglas J. Hura, Reg. No. 33249; Dale R. Lovercheck, Reg. No. 28638; Nicholas J. Aquilino; Anthony J. DeLaurentis, Reg. No. 24757 and Carmen Santa Maria, Reg No. 33,453.
- a. ☐ The power of attorney appears in the original papers in the prior application.
- b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Address all future correspondence to: Douglas J. Hura, DENTSPLY INTERNATIONAL INC., 570 West College Avenue, York, PA 17405-0872.

2/4/02  
Date

  
\_\_\_\_\_  
Douglas J. Hura  
Patent Attorney Reg. No. 33249

- ☐ Inventor(s)  
☐ Assignee of complete interest  
☒ Attorney or agent of record  
☐ Filed under 37 CFR 1.34(a)  
Registration number of acting under 37 CFR 1.34(a). \_\_\_\_\_



PATENT  
F-MAIL

CERTIFICATE OF MAILING

By "EXPRESS MAIL"- Label No. EF197969416US

Date of Mailing by EXPRESS MAIL February 4, 2002

The Continuation Patent Application for SDS-6 CON mailed by  
EXPRESS MAIL on February 4, 2002

  
\_\_\_\_\_  
Douglas J. Hura

DENTSPLY INTERNATIONAL INC.  
570 West College Avenue  
York, Pennsylvania 17405

Physically delivered to the United States Post Office, York,  
Pennsylvania by: Tammy A. Roland

I hereby certify that this paper or fee is being deposited with  
the United States postal Service "EXPRESS MAIL Post Office To  
Addressee" service, under 37 CFR 1.10, on the date indicated above  
and is addressed to Assistant Commissioner of Patents, Washington,  
DC 20231.

  
\_\_\_\_\_  
Tammy A. Roland  
Title: Patent Secretary



PATENT  
SDS-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application: Hickok

Serial No. 09/326,046

Art Unit: 3732

Filed: June 4, 1999

Examiner: N. Lucchesi

For: MICROENDODONTICS ULTRASONIC SURGICAL DENTAL TOOL HAVING WATER PORT AND METHOD OF MAKING SAME

Assistant Commissioner for Patents  
Washington, DC 20231

Extension of Time and Fee Letter

A three (3) month extension of time to and through July 30, 2001 is requested in the above captioned patent application under 37 CFR 1.136(a).

Please charge Deposit Account No. 04-0780 the amount of \$920.00 for a three (3) month extension of time in the above captioned patent application due in accordance with 37 CFR 1.17.

Please charge any other fee(s) due on the above captioned patent application, and/or credit any overpayment to Deposit Account No. 04-0780.

This letter is submitted in triplicate.

Respectfully submitted,

Douglas J. Hura  
Patent Attorney Reg. No. 33249

DJH/tar  
February 4, 2002

Address of signer:

DENTSPLY INTERNATIONAL INC.  
570 WEST COLLEGE AVENUE  
YORK, PA 17405-0872  
(717) 849-4466



PATENT  
SDS-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Assistant Commissioner for Patents  
Washington, DC 20231

Petition to Revive Abandoned Application under 37 CFR 1.137(b)

The Applicant, through the undersigned attorney, hereby petitions the commissioner to revive the above-identified U.S. Patent Application under 37 CFR 1.137(b). A Notice of Abandonment was mailed on September 13, 2001 and indicated that the abandonment was for failure to timely an answer to Office Letter mailed Jan. 30, 2001.

This Petition to Revive Abandoned Application under 37 CFR 1.137(b) is being submitted with Applicant's answer to the Office Letter.

Please charge any additional fees due and credit any overpayment to Deposit Account No. 04-0780.

A Terminal Disclaimer and Fee as set forth in 37 CFR 1.321 dedicating to the public a terminal part of the term of any patent granted on this application equal to the period of abandonment of the application is also enclosed.

The entire delay in filing the required reply, namely Response to the Office Letter dated January 30, 2001, from the due date until the filing of this position was unintentional.

The Office is respectfully requested to accept the Response in this case, and to pass the present application to prosecution. Should any further information be required, the undersigned attorney would welcome a telephone call.

Respectfully submitted,

Douglas J. Hura  
Attorney Reg. No. 33249

February 4, 2002  
Address of the signer:

DENTSPLY International Inc.  
570 West College Avenue  
York, PA 17405-0872  
(717)848-4466



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO ACCOMPANY PETITION**

Docket Number (Optional)

SDS-6

In re Application of:

Name: Hickok, Teresa R.

Application Number: 09/326,046

Filed: June 4, 1999

For: MICROENDODONTICS ULTRASONIC SURGICAL DENTAL TOOL HAVING WATER PORT AND  
METHOD OF MAKING SAME

The owner\*, DENTSPLY International, Inc. of 100 percent interest in the above-identified application hereby disclaims a terminal part of the term of any patent granted the above-identified application equivalent to: (1) if the above-identified application is a design application, the period of abandonment of the above-identified application, and (2) if the above-identified application is a utility or plant application, the lesser of: (a) the period of abandonment of the application; or (b) the period extending beyond twenty years from the date on which the above-identified application was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed. This disclaimer also applies to any patent granted on a utility or plant application filed before June 8, 1995, or a design application, that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. This disclaimer is binding upon the grantee, and its successors or assigns.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.
2. ☐ The undersigned is an attorney or agent of record.

  
Signature2/4/02  
DateDouglas J. Hura

Typed or printed name

☐ Terminal disclaimer fee under 37 CFR 1.20(d) included.**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.